

REMARKS

With this response, claims 1, 6, 11, 13 and 16 are amended. Claims 3, 12 and 17 have been cancelled. Therefore, claims 1, 2, 4-11, 13-16 and 18-20 are pending.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 16 and 18-20 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, claims 16 and 18-20 are rejected under 35 U.S.C. § 112, second paragraph because a person of skill in the art would not be able to ascertain the metes and bound of the claimed invention, specifically, for the term “a machine-accessible medium” used in claims 16 and 18-20.

Applicants have amended claims 16 and 18-20 to recite “a machine-readable storage medium.” Support for this claim limitation may be found, for example, in paragraph [0046] of the specification, which teaches that embodiments of the invention may be “stored on a **storage medium** or device **readable** by a general or special purpose programmable processing system.”

Thus, claims 16 and 18-20 as amended are clearly defined in the specification. Applicants respectfully request the withdrawal of this rejection.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 6-8 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,481,708 of Kukol (hereinafter "Kukol"). Applicants respectfully submit that these claims are not anticipated by the cited reference for at least the following reason: the cited reference fails to anticipate at least one feature of the independent claims as amended.

Claim 6 as amended recites a processing device comprising
an optimizer to **determine whether each variable of a plurality of variables are accessible from at least two network processors, determine an equivalence set of aliased variables in the plurality of variables, change location of the variables that are determined to be eligible for migration, and migrate the plurality of objects from an external memory of a network processing device to a plurality of registers coupled to a processor**

Applicants point out that claim 6 recites similar features as previously presented claim 17.

The Office Action on page 5 admits that the prior art of record fails to disclose the limitations recited in previously presented claim 17, and claim 17 would be allowable if rewritten in independent form including all limitations of base claim 16. Applicants point out that claim 6 as amended recites similar features as previously presented claim 17. Therefore, Applicants contend that claim 6 as amended is not anticipated by Kukol and is in condition for allowance.

Claims 7, 8 and 10 depend from claim 6, and thus include all limitations recited in claim 6 as amended. Thus, Applicants contend dependent claims 7, 8 and 10 are not anticipated by Kukol and are in condition for allowance for at least the reasons set forth above.

REJECTIONS UNDER 35 U.S.C. § 103

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over “Kukol” and Official Notice taken by the Office Action.

Claim 9 depends from claim 6. As mentioned above, the Office Action on 5 admits that the prior art of record fails to disclose the limitations recited in previously presented claim 17. Claim 6 as amended recites similar features as previously presented claim 17. Thus, claim 6 is not rendered obvious by Kukol in view of the Official Notice taken by the Office Action. Claim 9 depends from claim 6. Per MPEP § 2143.03, claims that depend from nonobvious independent claims are likewise nonobvious over the references. Therefore, Applicants contend that claim 9 is in condition for allowance.

ALLOWABLE SUBJECT MATTER

Claims 3, 12 and 17 are objected to as being dependant upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 3 depends from claim 1. Claim 12 depends from claim 11. Claim 17 depends from claim 16.

Claims 3, 12 and 17 have been cancelled. The limitations of claims 3, 12 and 17 are now incorporated in independent claims 1, 11 and 16 respectively. Therefore, Applicants contend that independent claims 1, 11 and 16 are in condition for allowance for at least the reasons set forth above. Claims 2, 4, 5, 13-15 and 18-20 each depend from one of the independent claim 1, 11 and 16, and include all limitations of the respective independent claim. Thus, Applicants contend

dependent claims 2, 4, 5, 13-15 and 18-20 are in condition for allowance for at least the reasons set forth above.

CONCLUSION

For at least the foregoing reasons, Applicants submit all pending claims are in condition for allowance, and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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Date: March 10, 2009

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I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below.

Date: March 10, 2009

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